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15 NOV 2006

In re Application of :
BAKER :
Application No.: 10/524,677 :
PCT No.: PCT/AU03/01043 : DECISION ON PETITION
Int. Filing Date: 15 August 2003 :
Priority Date: 15 August 2002 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: PRO101 :
For: INTERACTIVE PROPERTY TOUR :

This decision is in response to applicant's "Petition to Revive Unintentionally Abandoned Application Under 37 CFR § 1.137(b)" filed 03 November 2006.

BACKGROUND

On 20 October 2006, applicant was mailed a communication and notification of abandonment.

On 03 November 2006, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

A petition under 37 CFR 1.137(b) requesting that the application be revived on the grounds of unintentional abandonment must be accompanied by (1) the required reply, (2) the petition fee required by law, (3) a statement that the, "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional" and (4) any terminal disclaimer and fee pursuant to 37 CFR 1.137(c) (where required). Applicant has satisfied items 2-3. Item 4 does not apply.

As detailed in the communication mailed 20 October 2006, the present national stage application became abandoned for failure to timely respond to the Form PCT/DO/EO/905 mailed 30 August 2005 requiring an executed oath or declaration of the inventor. Applicant has presently filed a declaration executed by the sole inventor. However, the declaration is missing page one which contains the necessary language under 37 CFR 1.63 and 37 CFR 1.497(a). As such, it is not possible to grant applicant's petition to revive at this time.

CONCLUSION

For the reasons stated above, applicant's petition under 37 CFR 1.137(b) is **DISMISSED**.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." No additional petition fee is required.

Please direct further correspondence with respect to this matter to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

A handwritten signature in black ink, appearing to read 'Derek A. Putonen', is positioned above the printed name and title.

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